

REMARKS

The Applicant does not believe that entry of foregoing amendment will result in the introduction of new matter into the present application for invention. Therefore, the Applicant, respectfully, requests that the above amendment be entered in and that the claims to the present application be, kindly, reconsidered.

The Office Action dated March 11, 2004 has been received and considered by the Applicants. Claims 1-7 are pending in the present application for invention. Claims 1-7 stand rejected by the March 11, 2004 Office Action. The foregoing amendment adds new Claims 8-15 that are generally of similar scope as Claim 1-7, therefore is not believed that entry of new Claims 8-15 will result in the introduction of new matter into the present application for invention.

The Abstract of the disclosure has been objected to because of informalities. The foregoing amendment to the specification has corrected this oversight.

The Office Action rejects Claims 4 and 6 under the provisions of 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner states that in Claim 4, line 2, "the measured mutual position" lacks antecedent basis, rendering the claim vague and indefinite. The Examiner further states that in Claim 6, line 4, "the three coils" lack antecedent basis. The foregoing amendment to the claims has corrected these oversights.

The Office Action rejects Claims 1, 3, and 6 under the provisions of 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,289,088 issued to Andoh (hereinafter referred to as Andoh). The Examiner states Andoh discloses the recited elements of the rejected claims. The Applicant respectfully disagrees. Rejected Claim 1 recites that the control unit admits an electric current to control the electric current in at least one of the windings when the winding is situated in a magnetic transition field between two adjacent magnets having opposite directions of magnetization. This feature is described in the specification to the present invention on page 2, lines 10-24 to address the problem that exists within the prior art wherein no Lorentz forces are generated in the transition region between two magnets of opposite direction. Andoh makes no mention of generating Lorentz forces in the transition region between two magnets of opposite

direction. Therefore Claim 1 is believed to be allowable. The remaining claims depend from Claim 1, either directly or indirectly and therefore are also believed to be allowable. Therefore, this rejection is respectfully traversed.

The Office Action rejects Claims 1-3 under the provisions of 35 U.S.C. §102(b) as being anticipated by the anonymously disclosed Research Disclosure entitled "Three-phase Linear Motor" (hereinafter referred to as "Research Disclosure"). The Examiner states that the Research Disclosure discloses the recited elements of the rejected claims. The Applicant respectfully disagrees. Rejected Claim 1 recites that the control unit admits an electric current to control the electric current in at least one of the windings when the winding is situated in a magnetic transition field between two adjacent magnets having opposite directions of magnetization. This feature is described in the specification to the present invention on page 2, lines 10-24 to address the problem that exists within the prior art wherein no Lorentz forces are generated in the transition region between two magnets of opposite direction. The Research Disclosure makes no mention of generating Lorentz forces in the transition region between two magnets of opposite direction. It is in fact the Research Disclosure that is used within the specification of the present invention as the prior art example for which the stated problem of no Lorentz forces being generated in the transition region between two magnets of opposite direction. Rejected Claim 1 recites subject matter that corrects the discussed problems in the device taught by the Research Disclosure. Therefore, Claim 1 is believed to be allowable over the Research Disclosure. The remaining claim depend from Claim 1, either directly or indirectly and therefore are also believed to be allowable. Therefore, this rejection is respectfully traversed.

The Office Action rejects Claims 1, 3, and 7 under the provisions of 35 U.S.C. §102(b), as being anticipated by U.S. Patent No. 5,587,852 issued to Yoshiura et al. (hereinafter referred to as Yoshiura et al.). The Examiner states that Yoshiura et al. disclose the recited elements of the rejected claims. The Applicant respectfully disagrees. Rejected Claim 1 recites that the control unit admits an electric current to control the electric current in at least one of the windings when the winding is situated in a magnetic transition field between two adjacent magnets having opposite directions of magnetization. This feature is described in the specification to the present invention on

page 2, lines 10-24 to address the problem that exists within the prior art wherein no Lorentz forces are generated in the transition region between two magnets of opposite direction. Yoshiura et al. make no mention of generating Lorentz forces in the transition region between two magnets of opposite direction. Therefore Claim 1 is believed to be allowable. The remaining claims depend from Claim 1, either directly or indirectly and therefore are also believed to be allowable. Therefore, this rejection is respectfully traversed.

The Office Action rejects Claim 5 under the provisions of 35 U.S.C. §103(a) as being unpatentable over the Research Disclosure. The Examiner states that Research Disclosure sets forth a scanning device that uses three coils overlapping a series of alternating pole magnets in order to drive an optical head. Claim 5 is believed to be allowable for the reasons previously stated, e.g. due to its dependency from Claim 1.

The foregoing amendment has substantially added the features of Claim 4 in newly added Claim 8, which is in independent form. The Examiner stated that if Claim 4 were written in independent form to overcome the rejections(s) under 35 U.S.C. §112, second paragraph, would be allowable. Therefore, Claim 8 and Claims 9-15, which depend therefrom, are believed to be allowable.

Applicant is not aware of any additional patents, publications, or other information not previously submitted to the Patent and Trademark Office which would be required under 37 C.F.R. 1.99.

In view of the foregoing amendment and remarks, the Applicant believes that the present application is in condition for allowance, with such allowance being, respectfully, requested.

Respectfully submitted,

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